"Exploring The Social Dynamics Of Hijras In India: A Comprehensive Survey Of Literature"

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ARTICLE INFO	ABSTRACT
	In the past, the world generally recognized only two genders—male and female. However, more recently, the concept of a third gender has gained acceptance in certain regions. Until 2011, the Indian Census did not formally acknowledge the Transgender Community. The 2011 Census marked the first official recognition of third gender persons in India. The term Hijra is used in South Asia, particularly in India and Pakistan, to describe transgender individuals who are born male but do not completely identify as either male or female. The total transgender population in India is estimated to be approximately 4.88 lakh individuals. In India, transgender individuals, often referred to as Hijras, face a complex social and legal landscape. Traditionally recognized as a distinct gender category with cultural significance dating back centuries, Hijras are often marginalized and face discrimination despite legal recognition in recent years. However, challenges persist, including social stigma, highlighting ongoing struggles for equality and acceptance. The primary aim of this study is to gain insight into the status of the transgender population in India by reviewing relevant literature. Consequently, secondary sources of data have been employed for this study.
	Keywords: Transgender, India, Secondary Sources

INTRODUCTION

Gender is a broad spectrum of attributes that differentiate between traits of masculinity and femininity. These characteristics can stem from biological elements, such as one's sex (male, female, or intersex), societal norms including gender roles and other social expectations, or an individual's personal sense of gender identity. In certain societies, there exist unique gender roles that extend beyond the traditional male-female binary, exemplified by transgender individuals like hijras. Transgender pertains to those whose gender identity or expression—how they identify themselves as a woman, man, both, or neither—does not align with the expectations associated with their assigned sex at birth according to societal standards *(Holmes, 2007)*. Transgender is a comprehensive term applied to individuals whose gender expression, identity, or behavior deviates from the societal norms typically linked to their assigned sex at birth. Transgender individuals, regardless of age or sex, exhibit variations in appearance, personality, attitude, behavior, or personal characteristics that defy traditional stereotypes, indicating a disparity in identity. Essentially, transgender signifies a mismatch between one's gender identity and their assigned sex *(Hall, 1995)*.

In diverse regions globally, Third Gender or Transgender communities have thrived, each possessing their unique local identities, customs, and rituals. They are known by various terms depending on their community or country of origin. They are referred as Baklas in the Philippines, Berdaches among American Indian tribes, Serrers in Africa, and in South Asia, they go by names such as Hijras, Jogappas, Jogtas, Shiv-Shaktis, and Aravanis. The hijra community in India play a central role in a well-established eunuch culture prevalent in many societies, notably in West Asia, where they frequently occupied esteemed positions in royal courts. The

origins of hijras can be traced back in the Ramayana. It is believed that when Rama was exiled from the kingdom for fourteen years and departing for the forest, he instructed all men and women to return to the city. However, the hijras among his followers opted to stay with him, defying his directive. Impressed by their unwavering loyalty, Rama bestowed upon them the authority to offer blessings on significant occasions such as childbirth, marriage, and inaugural functions. This tradition laid the groundwork for the practice of badhai collection among hijras, where they engage in singing, dancing, and blessing others *(Aggarwal, 1997; Goel, 2014)*.

Transgender individuals, also known as Hijras in the Indian context, encounter daily hardships due to the pervasive lack of acceptance in society. They face ridicule and ostracization, enduring stigma and discrimination across all facets of life. Many suffer from various forms of abuse from a young age. They endure harassment, prejudice, stigmatization, discrimination, and sometimes violence, which deminish their self-esteem. Consequently, they feel compelled to hide or suppress their identity, living in fear, invisibility, and exclusion. They constitute one of the most marginalized and vulnerable groups in India *(Chakrapani, 2010)*.

LITERATURE REVIEW

To fulfill the main objective of the study, an extensive review has been conducted on relevant literature. The following notable works provide a concise overview of significant research conducted on various aspects of the status of the transgender community in India.

Serena Nanda's (1999) book *'Neither Man Nor Woman'* provides a comprehensive exploration of Indian Hijras, focusing on various facets of their lives including cultural traditions, professions, organizational structure, challenges, and more. The book also delves into the significance of castration in the lives of Hijras. According to Nanda, the castration process involves three stages: preparation, operation, and recovery, each accompanied by elaborate rituals. Since this practice is not legally recognized in India, it is typically conducted clandestinely. Additionally, Hijras believe that the success of the operation is influenced by the blessings of the Mata (a revered figure in their community). It's important to note that not all Hijras undergo castration; there are also members of the community who do not undergo this procedure but still play significant roles within the community.

Vinay Lal (1999), in his article *'Not This, Not That: The Hijras of India and the Cultural Politics of Sexuality'* discusses how the understanding of Hijras has been framed through categories such as male and female, Hindu and Muslim, and myth and history. During the colonial period, distinctions were made between Hindu and Muslim Hijras despite recognizing their fundamental similarities except for dining practices. Colonial sociology emphasized the primacy of religious identity in Indian society, highlighting the religious roles derived from Hinduism and historical roles in Muslim courts among Hijras. Over time, these distinctions have blurred within the Hijra community itself, despite some observers continuing to assert such boundaries. Lal argues that the narrative of Hijras reveals deep entrenchment in mythic structures within Indian society, resistance to the classification by modern nation-states, and possibilities for self-identity that challenge Western norms. Hijras typically distinguish between those born as Hijras with ambiguous genitals and those who become Hijras through castration, among other distinctions that have been proposed.

Gayatri Reddy's (2005) book *'With Respect to Sex: Negotiating Hijra Identity in South India'* is a compelling ethnography that moves beyond previous studies by illustrating that Hijra identity which cannot be solely defined by sexuality or gender. The work explores how sexuality and gender intertwine with various social factors such as religion, kinship, class, corporeality, and hierarchies. Reddy delves into the daily lives and narratives of Hijras to reveal the intricate, multidimensional, and fluid nature of their identity. He highlights that while some Hijras undergo the Nirvan (rebirth) ritual involving genital excision, not all do, and genital absence is widely viewed within the community and beyond as a hallmark of authentic Hijra identity. Hijras establish extensive kinship ties within their local communities and across a national network, forming lifelong intimate Guru-Sisya relationships, affiliating with Rits (a formal kinship marker signifying allegiance to a Hijra house or lineage), and creating symbolic bonds of maternity and sisterhood through rituals like nursing. Furthermore, Reddy examines the religious diversity among Hijras. While Hyderabadi Hijras identify themselves primarily as Muslims, they also center their identities around the Hindu goddess Bahuchara Mata, drawing from Hindu mythology to shape their histories and participating in Hindu ceremonies such as weddings and births. As gendered beings, Hijras transcend binaries by embodying aspects of both and neither male nor female, simultaneously challenging and reshaping conventional gender norms.

Serena Nanda (2007) in the edited book *'Culture, Society and Sexuality-A Reader'*, in the article with the title *'The Hijras of India: Cultural and Individual Dimensions of an Institutionalized Third Gender Role'* extensively chronicles the cultural heritage of gender diversity within the Indian context. Despite this, mainstream society often neglects the historical and traditional roots of transgender individuals in India. The hijra, recognized as a distinct third gender role in India, is described as neither male nor female, encompassing aspects of both genders. Commonly misunderstood by the broader society as intersex or impotent men who undergo emasculation involving partial or complete removal of genitals, hijras adopt female attire and behaviors. Traditionally, hijras sustain themselves by collecting alms and earning through performances at ceremonies like weddings and festivals. Their culture is prominently defined by

devotion to Bahuchara Mata, one of India's revered Mother Goddesses, for whom emasculation is a sacred practice. This association with the Mother Goddess underpins hijras' claim to a unique place in Indian society, along with the traditional belief in their ability to bless or curse newborn boys.

Satish Kumar Sharma (2009) in his book *'Hijras the Labelled Deviants'* characterizes Hijras as initially normal males, physically healthy, born with typical genitals and testicles, which may later be subject to castration, and they typically dress in female attire. He draws a distinction between Hijras and Transvestites, stating that transvestites are individuals, either male or female, who dress as the opposite sex primarily for sexual gratification, while concealing their actual sexual identity, whereas Hijras do not conceal their identity and openly present themselves as they are. Both communities have engaged in behaviors considered deviant from societal norms. The study indicates that transvestites openly discuss their sexuality without fear, and younger Hijras also express their sexuality openly. However, older Hijras tend to conceal their sexuality. Both groups may or may not undergo castration, though castration holds cultural significance within the Hijra community. The primary difference between Hijras and transvestites lies in their cultural practices related to professional life. Transvestites are seen as potentially transitioning into Hijras in the future. The book provides a comprehensive exploration of Hijras, encompassing their historical evolution, organizational structures, and the stigma they face globally. It also offers various theoretical analyses that shed light on the challenges Hijras encounter due to societal stigmatization.

Piyush Saxena (2011) in the book *'Life of A Eunuch'* provides a significant documentation of Hijras' lives, focusing on various aspects. The book delves into the physical causes underlying their condition and emphasizes the importance of recognizing and addressing these issues. It explores the transformations from male to female and vice versa, detailing the medical procedures involved and examining the socio-economic implications of such transformations. Saxena also traces the historical background of gender non-conformity, highlighting the challenges faced by these individuals across different countries and cultures. He notes the societal attitude towards Hijras, advocating for acceptance and ending discrimination and judgment. Saxena argues that Hijras can contribute meaningfully to society if they are accepted as part of mainstream society, likening their plight to that of individuals with disabilities who are often accepted and sympathized with. Saxena categorizes Hijras into three types based on their physical characteristics. First are the neutral eunuchs, who do not exhibit clear male or female features, often with hoarse voices and sometimes without distinctive gender characteristics. Second are the male eunuchs (jenanas), who typically appear more masculine in body structure despite lacking male genitalia. Third are the female eunuchs, who resemble females with developed breasts but lack female genitalia and do not menstruate. The study reveals that Hijras are born as male children without inherent sexual abnormalities but identify as females later in life, choosing to join the Hijra community. Many respondents in the study shared their personal journeys of becoming Hijras, emphasizing that it is a gradual and ongoing process rather than an instantaneous transformation.

Sridevi P. L. Sivakami and K. V. Veena (2011) in the article *'Social Exclusion has a Negative Impact on the Health of Transgender'*, it is noted that transgender individuals are marginalized in society and not treated as equal human beings. They face significant barriers to participating in various sectors and have limited occupational choices and reduced job opportunities as their potential in the workforce is often overlooked. This exclusion is evident in their poor representation in educational institutions because it is highlighted that transgender individuals face dropout rates in educational institutions due to issues related to gender identity, discrimination from classmates, and lack of acceptance from teachers. Additionally, they suffer from various health issues such as diabetes, overweight, obesity, hypertension, and HIV/AIDS, exacerbated by unequal treatment, inhumane attitude and societal discrimination, leading to significant psychological stress in their lives. Many remain within their transgender communities as they are not accepted by their families.

Aniruddha Dutta (2012) in the article *'An Epistemology of Collusion: Hijras, Kothis and the Historical (Dis)continuity of Gender/Sexual Identities in Eastern India'* highlighted how both Hijra and kothi identities, despite distinct historical origins, have coalesced into coherent identities through intersecting sub-cultural and governmental processes. Understanding these intersections requires examining multiple spheres of inquiry: for Hijras, this spans colonial censuses, ethnology, contemporary media representations, and the kinship systems of gharanas, all of which have contributed to solidifying their identity in official discourses. Conversely, kothi identities involve the convergence of less structured sub-cultural networks with governmental strategies for HIV/AIDS control. Institutional mapping, alongside sub-cultural terminology and local categories, has shaped dominant identities within these communities. Hijras are primarily defined by socio-religious and kinship norms that delineate their boundaries as a transgender identity. In contrast, kothis are often conceptualized based on their passive or receptive role in male same-sex behavior (MSM), although kothi femininity can also intersect with transgender identities. The author notes that the historical emergence of gender and sexual identities is particularly evident in the case of kothis, a category representing socioeconomically marginalized gender-variant or 'feminine' same-sex desiring males, which gained visibility within the LGBT rights movement in the late 1990s. This identity is considered more culturally authentic than the ostensibly Westernized 'gay' identity embraced by English-speaking Indian elites. Debates surrounding this indigenist argument link the emergence of kothi identities to the rise of Indian activism for sexual health and human rights among sexual minorities, situated within the global expansion of sexual rights activism and HIV/AIDS prevention funding. While right-wing nationalist discourses often

criticize these identities as Western influences, LGBT activists have countered by tracing homoeroticism, gender variance, and LGBT identities through revisionist interpretations of pre-colonial history. These processes of identity formation carry tangible implications for the inclusion or exclusion of emerging minority identities in society.

Gurvinder Kalra (2012) in his article *'Hijras: The Unique Transgender Culture in India'* discusses the rituals associated with castration that hold significant importance in the lives of every Hijra. These rituals serve to bestow honor and elevate the status of Hijras within their community. The ritual of castration is typically performed by an experienced Hijra known as the midwife or 'dai'. It marks a transformation from being a man to becoming a Hijra, rather than a transformation into a woman. Following the ritual, the Hijra undergoes a period of isolation for 40 days, during which they are not allowed to leave the house. At the conclusion of this 40-day period, a celebratory ceremony known as the 'jalsa' takes place. During the jalsa, the 'nirvan-hijra' (castrated Hijra) is dressed as a bride. This event is attended by Hijras from all 'gharanas' (Hijra communities) and signifies the end of their male journey and the beginning of their journey into the 'third gender'. While this ritual marks an important milestone in the lives of many Hijras, it is not obligatory for every Hijra to undergo castration; it remains a personal choice. Increasingly, some individuals opt to undergo this surgery under proper medical supervision.

Namita Mohanty (2012) in the edited book *'Social Exclusion and Gender - Some Reflections'*, in the article titled *'Third Gender, Social Exclusion and Right to Life with Dignity: A Critical Appraisal'*, it is emphasized that the social status of the third gender community faces significant discrimination. Society's non-acceptance of their gender identity is the primary barrier they encounter in social spheres, leading to numerous social security issues. The community lacks equal participation rights across various societal domains and faces marginalization without basic rights regularization. This stigmatization significantly impacts the mental health of third gender individuals, potentially leading to various psychological issues. Mohanty advocates for granting third gender individuals every right and urges society to accept them without differentiation, recognizing them as fellow human beings rather than treating them as a separate species. It is stressed that human diversity, including transgender identities, should be understood and accepted by society at large. The government, healthcare professionals, the public, and family members are called upon to provide understanding and support to transgender individuals, who have the same rights as all other humans to live according to their choices. In a diverse nation like India, transgender people deserve social and economic security, requiring mainstream society to diminish prejudices and foster social integration.

Ujwala Sunil Sindhe (2012) in the research article *'Gender Justice and Status of Enunch'* investigated the dire situation faced by Hijras, also known as Eunuchs, in India, who lack safe spaces and are frequently subjected to severe violence in public places, police stations, prisons, and even in their own homes. This violence stems largely from societal discomfort with Hijras' non-conformity to traditional gender norms. Compounding this issue is their predominantly lower middle-class background, which makes them vulnerable to harassment by law enforcement. Consequently, the Hijra community is among the most marginalized and disempowered groups in Indian society. Living on the fringes of society, Hijras endure discrimination and earn livelihoods through various means such as attending uninvited at weddings, births, and other family events to sing and receive gifts. Their presence is believed to bring good luck and fertility, but the threat of their curse looms if they are not appeased. Begging and prostitution are additional sources of income, accompanied by singing and dancing. Their lack of secure housing exposes them to violence, especially from police who routinely abuse their rights in stations, resorting to physical, sexual, and verbal assaults. Additionally, police demand hafta (bribes) from Hijras under threat of violence, exploiting their vulnerable position. Legal restrictions further marginalize Hijras, barring them from acting as guardians, making legal gifts, drawing up wills, or adopting children. Sindhe argues that systematic violence against Hijras is reinforced by societal institutions such as family, media, and the medical establishment, and is sanctioned by the legal system. Sexual abuse and violence serve to dehumanize them for deviating from societal gender norms. The recognition of Hijras as a distinct community is seen as a crucial step towards their official acknowledgment, marking progress since their right to vote as the third gender was granted in 1994. The Indian government's recent acceptance of gender plurality in society is seen as a positive step towards fostering tolerance. In conclusion, the discrimination and violence faced by Hijras underscore the urgent need for governmental and human rights initiatives to address these issues with the seriousness they deserve.

Alphonsa George and P. B. Shankar Narayan (2013) in the edited book *'Dimensions of Social Exclusion'*, in the article entitled *'Transgender Social and Familial Relations'* highlight the family as the most crucial primary group in human society, traditionally considered the fundamental unit. However, both at the family and societal levels, discrimination against transgender individuals persists. Many parents are reluctant to publicly acknowledge their transgender children, and this sentiment extends to siblings and relatives as well. The stress within family environments often leads transgender youth to leave home, either voluntarily or due to being expelled by homophobic parents. Even foster homes may reject openly transgender youth due to fears of homophobia and concerns about their influence on other children in the household. While the family is universally recognized as the primary institution where individuals derive love, care, and support, the Indian family system, known for its values, typically passes down beliefs and maintains strong bonds among family members and relatives. However, in the case of transgender children, many families do not

adhere to these ethical principles effectively. Traditional societal norms often objectify and ostracize transgender individuals, viewing them more as sexual objects than as human beings. Consequently, transgender individuals face significant social and familial exclusion, despite bearing no responsibility for their gender identity, which leads to strained relationships and marginalization in various aspects of life.

Anitha Nallasekaran (2013) in the edited book *'Dimensions of Social Exclusion'*, in the article entitled *'Transgender: The Struggle for Acceptance'* emphasizes the challenges faced by transgender individuals in gaining acceptance within mainstream society. Transgender identity arises from chromosomal pairings that determine an individual's sex, highlighting that being transgender is not a personal choice or fault. Despite this biological basis, transgender individuals encounter widespread rejection across various facets of life, including family, education, politics, healthcare, employment, and human rights. They are often marginalized and excluded from mainstream society. Addressing the issue of acceptance must begin at the micro level, starting with families, to pave the way for broader societal acceptance. Mass awareness campaigns are essential, alongside specific measures such as educational and employment reservations, representation in government bodies like Parliament, and inclusion of transgender perspectives in academic curricula. These steps are crucial for fostering inclusive growth and ensuring the rights and dignity of the transgender community are recognized and respected.

Madhubrata Mohanty (2014) in the article *'Recognition of A Third Gender: A Way Forward'* focuses on the plight and recognition of transgender individuals, who face pervasive discrimination simply due to their birth circumstances. Denied basic human rights enjoyed by others, transgender people have mobilized globally, prompting activism from both the judiciary and legislature. Their struggle culminated in the recognition of a third gender in many countries, liberating them from the necessity to live under the guise of either male or female and allowing them to assert their independent identity. The controversy surrounding the recognition of transgender people in society has persisted for years. Throughout history, transgender individuals have encountered various forms of discrimination that hinder their full equality worldwide. Basic needs such as employment, housing, healthcare, and even access to public restrooms are often challenging for them to fulfill, compounded by their marginalized status on the periphery of society. While the specific challenges vary across countries due to differing political and social environments, transgender people consistently face significant barriers. Despite numerous legislations enacted by different countries to protect transgender rights, much remains to be done. Mohanty concludes that being transgender is not a matter of choice but a consequence of their birth physiology, which cannot be changed. Therefore, it is a universal concern to treat them with dignity and afford them all the rights that every human being is entitled to. Across the world, the judiciary has played a crucial role in safeguarding transgender rights, yet this marks the beginning rather than the end of their journey towards equality. There is now an imperative to deepen understanding and raise awareness among people to recognize transgender individuals not only legally but also socially, enabling them to live a life of dignity and respect.

Anitha Chettiar (2015) in her article *'Problems Faced by Hijras (Male to Female Transgenders) in Mumbai with Reference to Their Health and Harassment by the Police'* sheds light on the challenges faced by Hijras (male to female transgenders) in Mumbai, focusing on their health issues and harassment by the police. The study employs a descriptive cum exploratory research design using non-random purposive sampling, specifically the snowball technique, to gather data from 63 Hijras. The majority of the Hijras interviewed reported encountering various health problems and facing harassment, unlawful penalties, sexual abuse, violence, and violations of human rights. They identified the police, including traffic and railway police, as primary perpetrators of violence and abuse. Despite Indian Constitution, which in Article 19 prohibits discrimination based on religion, race, and gender, stigma and discrimination persist against sexual minorities, including Hijras. Traditionally, Hijras have a recognized and visible role in Hindu society, particularly at weddings, births, and festivals. However, in contemporary times, their non-conforming gender identity significantly impacts their lives. Challenges include lack of gender recognition certificates, limitations on sexual expression, employment discrimination, inadequate housing, limited access to subsidized healthcare services, and pervasive violence. The study documents numerous instances where Hijras' civic and political rights are violated by the police. The legal protections that apply to women under rape laws often fail to protect Hijras in similar situations. There have been cases where Hijras were subjected to rape, including gang rape, by police officers, particularly in the first-class compartments of Mumbai's local trains. Additionally, Hijras report experiencing inhumane and disrespectful treatment from healthcare professionals in government hospitals. In light of these circumstances, the study emphasizes the urgent need for gender sensitization within the police force. This education should not only focus on women's rights but also extend to sexual minorities and transgender individuals, ensuring they are treated with dignity and respect by law enforcement and healthcare providers alike.

Sibsankar Mal (2015) in the article *'Let Us to Live: Social Exclusion of Hijra Community'* reveals that there is a severe lack of safe sociopolitical space where Hijras can live dignified lives as human beings. Despite being integral parts of society, they are often denied equal rights and face various forms of discrimination based on their class and gender identity disorder, making them one of the most marginalized and disempowered groups in Indian society. The study highlights that a majority of respondents reported experiencing significant health issues, as well as harassment, unlawful penalties, sexual and mental abuse, violence, and violations of their human rights. Hijras frequently face rejection from their families and social

organizations, leading to extensive social exclusion. Denied access to proper education, healthcare, and employment opportunities, many are compelled to engage in ritualized begging as a means of survival. Moreover, Hijras encounter numerous legal barriers as Indian citizens, including restrictions on marriage, contesting elections, voting, obtaining passports, driving licenses, ration cards, identity cards, and various livelihood opportunities. They also endure inhumane and disrespectful treatment in government hospitals at the hands of medical professionals. The study further exposes that most of the challenges faced by Hijras stem from society's failure to recognize them as a distinct gender beyond the traditional male-female binary. This lack of recognition denies them the opportunity to integrate fully into society with dignity and human potential. Consequently, Hijras endure severe exclusion, exacerbated by societal attitudes that view diversity in gender and sexuality as deviant and deserving of deprivation. In conclusion, the study emphasizes the fundamental human right of all individuals, including Hijras, to live with dignity regardless of their legal, social, or political status. It calls for greater recognition and acceptance of the rights and humanity of Hijras within Indian society.

Gayathri Nagarajan and Karthikeyan Parthasarathy (2016) in their article *'Inclusion and Exclusion of Third Genders - Social Hindrance in India'* highlight that transgender individuals belong to marginalized and disempowered groups facing various forms of oppression. Stigmatization leads to numerous health issues and a pervasive sense of insecurity both within and outside their homes. They are systematically excluded from participating in socio-cultural, economic, and political spheres, lacking decision-making power and viable livelihood options, which increases their reliance on sex work. Moreover, the transgender community lacks dedicated social welfare schemes tailored to their specific needs, further exacerbating their socio-economic challenges. Political representation and participation among transgender individuals remain significantly lower compared to the general population, underscoring their marginalization in governance and decision-making processes.

Mohammed Atheeque P. P. and Rajathurai Nishanthi (2016) in the article *'Marginalization of Transgender Community: A Sociological Analysis'* underscore numerous challenges associated with the gender identity of the transgender community, including discrimination, enduring stigma, limited access to education, high rates of unemployment, lack of adequate shelter, insufficient healthcare services such as HIV care and hygiene, depression, misuse of hormone pills, tobacco and alcohol abuse, and issues related to marriage, property rights, electoral participation, adoption, familial alienation, and a precarious livelihood often reliant on forced sex work and begging. Social stigma plays a significant role, disempowering transgender individuals through labeling and negative attitudes, often relegating them to roles as sex workers or solicitors. They are frequently overlooked in matters of inheritance and adoption. Despite being part of the social fabric, transgender people remain hidden in many societies that adhere strictly to binary gender classifications. Their daily lives are marked by social and economic marginalization due to their gender identity and expression, which hinders their full participation in society at all levels. Transgender individuals often face barriers accessing essential government services such as food subsidies, education, employment opportunities, and healthcare. This exclusion forces many into dependency on others for survival or compels them to engage in risky activities like sex work, exposing them to further violence, particularly from law enforcement authorities. The authors highlight the pervasive homophobia and transphobia within families, which can escalate to verbal and physical violence and result in young transgender individuals being disowned or voluntarily leaving home, sometimes leading to homelessness. Their sexuality or gender identity frequently subjects them to stigmatization and exclusion by society, impacting their ability to access healthcare services—from disrespect and harassment to outright denial of care. Homelessness among transgender individuals correlates with severe outcomes such as incarceration, participation in the underground economy, substance abuse, HIV infection, and suicide. Critical challenges also include the absence of identification cards affirming transgender status, difficulties in officially changing names or genders on documents like educational certificates, and inadequate provision of gender-neutral or separate transgender-friendly public toilets, which perpetuate discrimination in accessing essential facilities. Addressing these issues requires robust legal protections and comprehensive awareness campaigns tailored to the transgender community. The government must take proactive measures, supported by public advocacy, to ensure equitable rights and opportunities for transgender individuals across all facets of life.

Shilpa Khatri Babbar (2016) in the article *'The Socio-Legal Exploitation of the Third Gender in India'* conducted a study that highlighted the situation of transgender individuals in India, focusing on how despite judicial acknowledgment and sympathy towards their plight, they continue to face severe social exclusion and indignity. The biased attitudes prevalent in society, compounded by prejudiced views held by parliamentarians and the judiciary, have significantly contributed to their marginalized status, often relegating them to restrictive labels. The study underscored the pervasiveness of transphobia within various societal structures, families, and institutions, stripping transgender individuals of their human dignity. This exclusion begins with many being expelled from or choosing to leave their homes, which subsequently bars them from accessing education and healthcare systems. Lacking full citizenship rights and protections, they endure various forms of discrimination, including shaming, assault, exclusion from marriage and parenthood rights, limitations on their expression and association, lack of sexual autonomy, stereotypical portrayals in the media, and daily harassment or disparagement. These injustices primarily stem from the denial of their identity, making them more susceptible to harassment, violence, and sexual assault. The study emphasized the cyclical nature of the suffering experienced by those with alternative sexualities, wherein the pervasive violence—

whether emotional, mental, or physical—forces them into silence while the lack of recognition of their identity exacerbates their vulnerability to further mistreatment. Common human rights violations reported by transgender individuals included extrajudicial killings, torture, arbitrary detention, threats, and extortion. The criminalization of sex work by police authorities exacerbates these risks, leaving transgender individuals vulnerable to abuse, unlawful detention, and exploitation. The study called for judicial activism to redefine constitutional interpretations rather than relying solely on legislative amendments, cautioning against treating the judiciary as a mere reflection of majority opinion. Despite historical reverence, transgender individuals continue to face discrimination, highlighting the paradoxical delay in legally recognizing their dignified existence beyond traditional male-female binaries. The ongoing mass rejection of their individuality often renders them unemployable and denies them access to basic amenities, thereby perpetuating cycles of abuse and marginalization.

Ume Sughra and Muhammad Imran (2016) in their article *'Transgender: Stigma, Discrimination, and Social Exclusion'*, they highlight that transgender individuals face severe challenges due to social stigma, harassment, abuse, and discrimination, which significantly impact their quality of life. They endure rough treatment in local transport and encounter disparities starting from their families, extending to their interactions with teachers and friends at school who sexually harass them. Lack of access to healthcare and uncooperative attitudes from healthcare providers exacerbate their difficulties. Many resort to begging, dancing, and engaging in sex work for livelihood, further exposing them to risks such as HIV infection. The pervasive social stigma amplifies these challenges, making life particularly difficult for transgender individuals.

Khushboo R. Hotchandani (2017) in the article *'Problems of Transgender in India: A Study from Social Exclusion to Social Inclusion'* emphasizes the challenges faced by transgender individuals who differ in their biological characteristics. They lack access to fundamental rights such as dignity, liberty, education, and freedom of expression. Discrimination pervades every aspect of their lives, accompanied by unwelcome behavior in daily interactions. Over time, numerous laws have been enacted by the government aimed at addressing these issues and integrating transgender individuals into mainstream society.

Konduru Delliswararao and Chongneikim Hangsing (2018) in the article *'Socio-Cultural Exclusion and Inclusion of Trans-genders in India'* discusses several social issues prevalent in India, particularly concerning the identification and status of transgender individuals. Transgender refers to a spectrum of identities that diverge from traditional male and female categories, including transsexual identities and those outside binary gender positions. Geographically, they are referred to by various names, with "Hijra" being common in India. Despite the passage of time, the status of transgender individuals in India remains largely unchanged. Socio-cultural barriers contribute significantly to their frustration and marginalization, exacerbated by the patriarchal nature of society which perpetuates disparities based on gender identity. However, governmental organizations and NGOs have introduced welfare schemes aimed at improving their status, promoting equality, and ensuring dignified lives. These programs and policies seek to alleviate the exploitation and deprivation experienced by transgender individuals. Furthermore, the Supreme Court of India has recognized transgender individuals as the third gender and has endeavored to integrate them into mainstream society.

P. Veeramani (2018) in the article *'Social Stigma and Discrimination towards Transgender'* explored the social stigma and discrimination faced by transgender individuals. Historically, transgender communities have sought to incorporate rituals, folklore, and legends as a means to affirm their identity and establish a place within traditional social structures. In many cultures, transgender individuals were traditionally attributed special powers due to their perceived third sex status and were allowed to participate in semi-religious ceremonies. However, in contemporary society, transgender individuals continue to struggle to access essential services and support that others often take for granted. Persistent stigma has hindered their ability to secure housing, land, education, and employment opportunities. To mitigate the discrimination faced by transgender people on a daily basis, it is crucial that they are afforded the opportunity to live a life based on their choices, abilities, and contributions—not solely defined by their gender.

Niraj Kumar (2018) in the article *'We Were, Are, Will Remain Discriminated Against' Status of Transgender Persons in Odisha'*, it is highlighted that transgender individuals in Odisha face significant mistreatment from their parents, family members, and neighbors. They are often referred to as 'Anaath' (orphans) or 'Soutela' (curse), emphasizing their marginalized status within the family. Family members typically impose restrictions on their movement outside the home. Many transgender individuals engage in begging at train stations, roadsides, tollgates, local markets, as well as in sex work and dancing at various ceremonies. Their employment opportunities are severely limited due to inadequate skills and societal discrimination, often relegating them to sex work as their primary means of income. The community operates under hierarchical relationships termed 'guru chella', where earnings are shared with their guru first. Despite being Indian citizens, they encounter obstacles in obtaining voter identity cards and Aadhaar cards, and are excluded from civil society organizations. The media plays a crucial role in shaping public perceptions of the transgender community, which continues to face pervasive exclusion and deprivation across all aspects of society. Access to sustainable livelihoods is crucial for their economic development, yet in Odisha, viable sources of income are lacking, exacerbated by their lower levels of education and literacy. Also, according to **Prachi Parimita Rout (2018)** in the article *'Gender Inequality a Fate for Transgenders in Odisha'*

highlighted that the transgender community in Odisha represents one of the most marginalized groups in society, facing significant barriers to accessing education, employment opportunities, and adequate medical care. Throughout their lives, transgender individuals have endured substantial challenges related to their identity, financial difficulties, and exploitation by various entities. Their educational experiences are markedly distinct, characterized by mistreatment from fellow students, challenges with school uniforms that do not align with their identity, and instances of sexual harassment.

Ruchi Dubey Chaturvedi, Ahad Dewoolkar, Esha Sharma, Kaizeen Mistry and Sameer Parmar (2018) in the article *'Inclusive Approach: Hijra/Transgender Community'* conducted a study focusing on the inclusive approach towards the Hijra/transgender community in Mumbai, examining the correlation between social support and psychological well-being. The research revealed that the transgender community experiences below-average social support overall. While they receive adequate support from within their own community, there remains a significant lack of acceptance and support from broader society. The study underscored that merely extending social support to the transgender community may not suffice to integrate them into mainstream society effectively. It emphasized the necessity for positive support from all sectors, including legal protections, governmental policies, equal opportunities for personal growth and employment in mainstream sectors, as well as educational initiatives to raise awareness and foster acceptance among the general public. These measures are crucial for enhancing the overall well-being and societal integration of transgender individuals.

Neethu Naik (2019) in the article *'Transgenderism in India: Insights from Current Census'* indicates that according to the 2011 census data, certain states in India exhibit higher transgender populations, such as Uttar Pradesh, Andhra Pradesh, Bihar, West Bengal, and Tamil Nadu, with figures of 28.18%, 8.97%, 8.37%, 6.22%, and 4.58% respectively. Transgender individuals often choose not to disclose their original identity due to societal exploitation and discrimination. Many of them sustain their livelihood through begging on the streets, facing heightened risks of sexually transmitted infections and other serious health issues exacerbated by inadequate healthcare access.

Rashmi Ram Hunnur and Anusha A. (2019) in the article *'A Review on Status of Transgenders from Social Exclusion to Social Inclusion in India'* highlight that the transgender community, known differently across religions, is primarily recognized as Hijras in India. They face frustration and exploitation throughout their lives, creating significant barriers. In a patriarchal society like ours, stigma and stereotypes persist, particularly targeting this excluded and vulnerable group. Despite everyone's equal rights to access privileges, the Hijra community lacks these rights. NGOs and government organizations are actively working towards their development, implementing schemes and policies aimed at preventing discrimination and providing facilities across all sectors of society.

Anirban Majumder, Soumyabrata Roychaudhuri, Soma Chakraborty and Kinsuk Bhattacherjee (2020) in the article *'An Observational Study of the Quality of Life Among Gender Incongruent Individuals from Hijra Community of India'* focuses on gender incongruence, where individuals experience a disconnect between their gender identity and their assigned birth sex. This mismatch often leads to rejection from family and society, resulting in mental health issues that significantly impact their overall quality of life. Many of these individuals leave their homes during early childhood and find new homes within their community, where they can establish a new identity for themselves. Following the NALSA Judgment, which recognized transgender individuals' rights in India, there have been improvements in their recognition and rights. The government has initiated measures to provide healthcare, employment opportunities, inclusion in social welfare schemes, and awareness programs aimed at enhancing the well-being of socially excluded groups, particularly members of the LGBT community.

Bithika Mondal, Sudeshna Das, Deepshika Ray and Debanjan Ray (2020) in their article *'Their Untold Stories…: Lived Experiences of Being a Transgender (Hijra), A Qualitative Study from India'*, individuals face the challenge of living with a gender identity that differs from their assigned birth sex, leading to a lack of specific identity. They encounter relationship difficulties and experience social rejection from both family and society, which necessitates adopting a new identity within the third gender category and integrating into the Hijra community. Discrimination pervades various aspects of their lives, contributing to barriers in accessing education and placing them in the marginalized segments of society.

Satarupa Dasgupta, Sunny Sinha and Raina Roy (2021) in their article *'We Are Helpless, Hopeless and Living in Despair: Impact of COVID-19 on the Overall Health and Well-being, and Participation of the Transgender Community in India'* assesses that the lack of recognition and ambiguous status for hijras and other transgender people has been a persistent issue, fueling exclusion from social, economic, and political participation. This exclusion, compounded by perceived governmental indifference, reflects broader societal discrimination and harassment faced by the transgender community across various settings—from public places to educational institutions, workplaces, and healthcare facilities. The socioeconomic impact of COVID-19 on the transgender community has been severe, particularly disrupting livelihoods heavily reliant on sex work, ritualistic performances, and begging. The lockdown severely curtailed these means of income, exacerbating economic instability and food insecurity among the community. Government relief efforts fell short, offering only basic provisions like rice and lentils, which failed to meet the diverse dietary and economic needs of transgender households. Access to healthcare during the pandemic worsened for transgender individuals, already facing barriers to regular testing and treatment

services. Stigmatization at testing centers and inadequate support networks further restricted their access to essential healthcare, including HIV/STI screenings and treatments. The pandemic also highlighted the disparity in healthcare access, with disruptions in tuberculosis and HIV treatments disproportionately affecting the community. The pandemic's impact extended to specialized healthcare services such as gender transition surgeries, which were already limited and inaccessible to many due to high costs and geographical constraints. The suspension of these services during COVID-19 aggravated physical and psychological distress among those awaiting or recovering from surgeries. The absence of legislative guidelines on gender transition further complicated access to essential healthcare, pushing some individuals towards unsafe alternatives. Social distancing measures imposed during the pandemic exacerbated isolation and mental health issues within the transgender community. Already vulnerable to depression, anxiety, and suicidal tendencies due to societal stigma and discrimination, community members faced heightened risks during lockdowns. The loss of community support networks, compounded by increased domestic violence and abuse within households, exacerbated their mental health challenges. Overall, the pandemic underscored and exacerbated existing inequalities and challenges faced by India's transgender community. Governmental and societal responses fell short of addressing these complex issues, reflecting longstanding systemic neglect and discrimination.

Based on the extensive literature reviewed surrounding Hijras in India, it is analyzed that transgender individuals face significant exclusion from all spheres at all societal levels. But there has been little improvement towards transgender individuals over the past decade. Certain assumptions are emerged out, of which following are some of the key points as highlighted:

➢ **Advocacy, Identity Politics and Recognition:** Hijras have been subject to both internal debates within their community and external pressures from mainstream society and state policies, shaping their visibility and rights within the broader LGBT+ rights movement in India. Despite countless challenges, there have been strides towards recognizing Hijras' rights, including the legal acknowledgment of a third gender in India since 1994. However, the implementation of these rights remains inadequate, necessitating further advocacy and societal acceptance.

➢ **Cultural Significance, Practices and Rituals:** The ritual of Castration associated among Hijra identity marks a significant transition, celebrated through rituals like the Jalsa, where the castrated Hijra is symbolically reborn into the third gender. This ritual underscores the cultural importance of gender transformation within Hijra communities. Also, the other rituals such as Guru-Sisya relationships and affiliations with Rits, play significant roles in shaping community bonds and identities.

➢ **Legal and Social Exclusion – Health and Wellbeing, Family and Social Rejection:** Despite their cultural significance, Hijras face multifaceted challenges including severe marginalization, stigma and discrimination in mainstream society, leading to their classification as one of the most marginalized and disempowered groups. They encounter significant barriers in educational and occupational opportunities, as well as significant health disparities with inadequate healthcare facilities and essential services like HIV care, mental health services, and hormone therapy, leading to poorer health outcomes compared to the general population. Unique barriers exist when they seek public or private healthcare services, stemming from a lack of understanding of their specific needs and issues. Time and again they face inhumane treatment in government hospitals. Lack of educational and employment opportunities engage them in precarious livelihoods such as begging and sex work, leading them to various health issues worsening their financial conditions. This exclusion perpetuates cycles of poverty and vulnerability. They further endure violence, harassment, and exclusion in public spaces, police stations, and even within their own families due to societal discomfort with their non-conforming gender identities. Transgender individuals majorly face rejection and violence from their families, leading to high rates of homelessness. Despite legal recognition as the third gender in India, transgender individuals continue to encounter significant legal restrictions which further exacerbate Hijras' marginalization, denying them basic rights such as obtaining identification documents, marriage, voting and adoption. These factors contribute to their social and economic marginalization, hindering their full participation in society. Henceforth, this familial and societal rejections contribute to their social exclusion and aggravating their mental health challenges.

➢ **Victimization in Educational Institutions:** Abuse, harassment and unfair treatment in schools contributes to their fear of negative evaluation, social anxiety, and low self-esteem, stemming from difficult experiences.

➢ **Intersectional Vulnerabilities:** Intersectional identities, such as caste and class, intersect with gender identity to exacerbate vulnerabilities among transgender communities. These individuals often face compounded discrimination based on multiple identities, further limiting their opportunities and rights.

➢ **Impact of Pandemic:** The pandemic had exacerbated pre-existing challenges faced by the transgender community. Issues such as loss of livelihoods, disruptions in healthcare services including HIV/STI treatment and gender transition services, increased isolation and mental health issues, and heightened vulnerability to violence and abuse within households had been magnified during the pandemic. The economic fallout during lockdown in pandemic, includes job losses and reduced income opportunities, which had disproportionately affected transgender individuals, pushing many deeper into poverty and food insecurity. The pandemic-induced social distancing measures had exacerbated feelings of isolation, depression, and anxiety among transgender individuals, who already grappled with societal rejection and discrimination.

- ➢ **Governmental Disconnect and Policy Failures:** A significant gap between government policies and the ground realities of transgender individuals in India is visible. Policies such as the Draft on Transgender Persons (Protection of Rights) Rules 2020 have been formulated without adequate consultation or consideration for the community's diverse needs and abilities. The feedback process for such policies has often been inaccessible, further alienating the community from participating in decision-making processes that directly affect them.
- ➢ **Community Resilience and Support:** Despite these challenges, there are indications of resilience within transgender communities, demonstrated through community support networks and advocacy initiatives aimed at securing legal rights and improving socio-economic conditions.

CONCLUSIONS AND RECOMMENDATIONS

In conclusion, the plight of Hijras underscores the complexity of gender identities, the influence of cultural and mythological frameworks, and the challenges posed by societal exclusion and health disparities. It emphasizes the ongoing evolution and resilience of Hijra communities in navigating identity politics and advocating for acceptance and inclusion in society. Addressing the issues faced by transgender individuals in India requires a holistic approach that encompasses legal reforms, social acceptance, healthcare improvements, and economic opportunities.

Efforts must be made to challenge societal norms and stereotypes, promoting inclusivity, and ensuring that transgender individuals can live with dignity and respect, free from discrimination and marginalization. This comprehensive approach is essential to achieving genuine equality and social justice for all members of society, irrespective of their gender identity.

- a. **Gender Sensitization and Capacity Building:** Gender sensitization and capacity building among government officials, law enforcement agencies, healthcare providers, and society at large is necessary to ensure Hijras rights and sensitivity and promote inclusive practices within institutions to uphold the dignity and respect of transgender individuals, addressing systemic biases and discriminatory practices.
- b. **Legal Reforms:** Amend or repeal legislative measures like The Transgender Persons (Protection of Rights) Act, 2019 to align with international human rights standards. Specifically, remove barriers to self-identification and streamline processes for legal recognition of gender identity without unnecessary medical requirements.
- c. **Economic Empowerment:** Implement programs to enhance economic opportunities for transgender individuals, reducing reliance on sex work and begging and promote access to formal employment. Provide vocational training, entrepreneurship support, and financial assistance to mitigate economic vulnerabilities.
- d. **Mental Health Support:** Allocate resources for mental health services personalized to the needs of transgender individuals, addressing the compounded challenges of isolation, discrimination, and economic stress.
- e. **Inclusive Policy Revisions and Advocacy Consultation:** Essential pre-requisite is of comprehensive policy measures and advocacy efforts in order to address the structural inequalities faced by transgender individuals. This includes implementing inclusive education and employment policies, ensuring access to healthcare services without discrimination, and promoting awareness and acceptance within society. The inclusive policy is also necessary to recognize and address the unique challenges faced by the transgender community during the natural calamities like earthquakes, floods, pandemic etc. There is the need for meaningful engagement with community stakeholders, including transgender activists and organizations, in the formulation and implementation of policies affecting their lives. Therefore, ensure that policies are inclusive, address diverse needs, and are sensitive to the socio-economic realities faced by transgender individuals.
- f. **Governmental Initiatives:** An urgent need for comprehensive governmental and societal initiatives is must to address their rights, safety, and inclusion. Recognizing and respecting Hijras' identity as a distinct gender within the social fabric of India is essential for promoting equality and safeguarding their fundamental human rights. A critical need for comprehensive reforms in legislative frameworks and social support systems is must.
- g. **Community Engagement and Awareness:** Foster dialogue between policymakers, healthcare providers, and transgender communities to build mutual understanding and trust. Increase awareness among the broader public about transgender issues to combat stigma and discrimination.
- h. **Concrete Efforts:** Addressing all these issues requires concerted efforts from policy-makers, healthcare providers, civil society organizations, and the broader public to ensure equitable access to rights, opportunities, and social inclusion for transgender individuals in India.
- i. **Monitoring and Evaluation:** Establish mechanisms for monitoring the implementation of policies and evaluating their impact on transgender rights and well-being. Ensure accountability and transparency in policy execution through regular assessments and feedback mechanisms involving community representatives.

These recommendations aim to create a supportive environment where transgender individuals in India can live free from discrimination, with access to essential services, economic opportunities, and social inclusion. Implementing these measures requires collaborative efforts across sectors to achieve meaningful and lasting change.

"On concluding, undoubtly, transgender individuals have the potential to make meaningful and valuable contributions to society if they are no longer subjected to discrimination and negative judgmental attitudes, enabling them to be fully embraced as essential members of the society"...

Acknowledgment

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